

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 08-00085-01-CR-W-DW
)	
DEANDRE R. PARKER,)	
)	
Defendant.)	

MOTION FOR CONTINUANCE
WITH SUGGESTIONS

COMES NOW the defendant, Deandre R. Parker, by and through his counsel, William J. Raymond, Assistant Federal Public Defender for the Western District of Missouri, in accordance with Rule 47, Fed. R. Crim. P., and Rule 7.1 (b) and ©) of the Local Rules of Procedure for the United States District Court for the Western District of Missouri, and moves this Court, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B), to remove this case from the Accelerated Joint Criminal Trial Docket scheduled to commence June 16, 2008, and to continue this case until the Accelerated Joint Criminal Trial Docket scheduled to commence on September 29, 2008.

SUGGESTIONS IN SUPPORT OF MOTION FOR CONTINUANCE

1. On March 21, 2008, a One Count Complaint was filed in the Western District of Missouri charging defendant with possession with intent to distribute cocaine base in violation of 21 U.S.C. §841(a) and (b)(1)(A).

2. On March 21, 2008, the Federal Public Defender's Office was appointed to represent Mr. Parker.

3. On March 26, 2008, defendant appeared before the Honorable John T. Maughmer, United States Magistrate Judge for preliminary and detention hearings. After hearing evidence, the Court found probable cause and also Ordered that Mr. Williams be released on bond.

4. On April 9, 2008, a Four Count Indictment was filed in the Western District of Missouri charging defendant with three counts of distribution of cocaine base in violation of 21 U.S.C. §841(a)(1) and (b)(1)(A) and one count of possession with intent to distribute cocaine base in violation of 21 U.S.C. §841(a)(1) and (b)(1)(A) .

5. On April 30, 2008, defendant appeared before the Honorable John T. Maughmer, United States Magistrate Judge for an arraignment and entered a plea of not guilty through counsel.

6. Further investigation is required and additional defense witnesses must be located and interviewed. Counsel will also need time to thoroughly review evidence and adequately discuss the case with Mr. Parker. Defendant has not filed a previous continuance motion.

5. Brent Venneman, Assistant United States Attorney, has indicated that he does not have any objection to this continuance request.

6. This continuance is sought not for purpose of dilatory delay, but is sought in truth and fact that the defendant may be afforded due process of law under the Fifth Amendment to the United States Constitution. In accordance with 18 U.S.C. §3161(h)(8)(A) and (B)(iv), it is submitted that the above-stated reasons for a continuance outweigh the best interests of the public and the defendant to a speedy trial, which is required by 18 U.S.C. §3161(c)(1).

7. Under the provisions of 18 U.S.C. §3161(h)(8)(A) the period of time until the next criminal trial docket should be excluded in computing the period of time in which the defendant should be brought to trial under the provisions of the Speedy Trial Act.

WHEREFORE, the defendant, Deandre R. Parker, respectfully requests this Court, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B), to remove this case from the Accelerated Joint Criminal Trial Docket scheduled to commence June 16, 2008, and to continue this case until the Accelerated Joint Criminal Trial Docket scheduled to commence on September 29, 2008.

Respectfully submitted,

/s/ William J. Raymond
WILLIAM J. RAYMOND
Assistant Federal Public Defender
818 Grand, Suite 300
Kansas City, MO 64106
(816) 471-8282

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

In accordance with Rule 49(a), (b) and (d), Fed. R. Crim. P., and Rule 5(b), Fed. R. Civ. P., it is hereby CERTIFIED that on May 13, 2008, one copy of the foregoing motion was electronically delivered to Brent Venneman, Asst. U.S. Attorney, 400 E. 9th, Kansas City, MO 64106.

/s/ William J. Raymond
William J. Raymond